

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TEXARKANA DIVISION

BARRY DWAYNE MINNFEE	§	
v.	§	CIVIL ACTION NO. 5:16cv124
U.S. SECRET SERVICE, ET AL.	§	

MEMORANDUM ADOPTING REPORT AND RECOMMENDATION  
OF THE UNITED STATES MAGISTRATE JUDGE  
AND ENTERING FINAL JUDGMENT

The Plaintiff Barry Minnfee, proceeding *pro se*, filed this civil action complaining of alleged deprivations of his rights. This Court referred the case to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

**I. Background**

After review of the pleadings, the Magistrate Judge issued a Report recommending the lawsuit be dismissed because Plaintiff, a well-known litigant, failed to show he has satisfied multiple sanctions imposed upon him by the Fifth Circuit as well as district courts within the State of Texas. In his objections, Plaintiff accuses the Magistrate Judge of committing fraud having to do with how mail is delivered in the prison and of other acts and omissions. Plaintiff also complains about a District Judge in Corpus Christi, Texas and a Magistrate Judge in the Northern District of Texas. His objections make no mention of the basis upon which the Magistrate Judge recommended this lawsuit be dismissed and show no reason to reject this recommendation.

## II. Conclusion


The Court has conducted a careful *de novo* review of those portions of the Magistrate Judge's proposed findings and recommendations to which the Plaintiff objected. *See* 28 U.S.C. §636(b)(1) (District Judge shall "make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.") Upon such *de novo* review, the Court has determined the Report of the Magistrate Judge is correct and the Plaintiff's objections are without merit. It is accordingly

**ORDERED** the Plaintiff's objections are overruled and the Report of the Magistrate Judge (docket no. 3) is **ADOPTED** as the opinion of the District Court. It is further

**ORDERED** the above-styled civil action is **DISMISSED** as barred by sanctions previously imposed upon Minnfee by the Fifth Circuit Court of Appeals as well as district courts within the Fifth Circuit. Such dismissal is with prejudice as to the refiling of this lawsuit while any sanctions remain unsatisfied, but without prejudice to its refiling once Minnfee has satisfied all of the sanctions imposed upon him and has obtained leave of court to file a new lawsuit. It is further

**ORDERED** that any and all motions which may be pending in this action are hereby **DENIED**.

**SIGNED this 22nd day of February, 2017.**

  
ROBERT W. SCHROEDER III  
UNITED STATES DISTRICT JUDGE